M/035/0026 TASL 2395

BEFORE THE DIVISION OF OIL, GAS AND MINING DEPARTMENT OF NATURAL RESOURCES STATE OF UTAH

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IN THE MATTER OF TENTATIVE

DECISION TO APPROVE A LARGE

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NOTICE OF TENTATIVE DECISION TO APPROVE

MINING AND RECLAMATION PLAN

FOR GENEVA ROCK PRODUCTS,

POINT OF THE MOUNTAIN, SALT LAKE

COUNTY, UTAH

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NO. M0350026

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Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to approve the Large Mining Operations Notice of Intention (Notice) for the Point Of The Mountain quarry. Mining activities will affect the following area: Portions of Sections 13, 14 and 24, Township 4 South, Range 1 West, SLBM, Salt Lake and Utah Counties, Utah

Existing aggregate operations cover 190 acres, including mixed-use facilities, roads, and the mine pit. Mining of bedrock will be conducted by ripping, drilling, blasting, and excavation/hauling. Oversize material will be crushed utilizing dry crushers within the pit and stockpiled by a radial stacker for loading and transport to the screening and wash plant. All environmental permits for Air Quality and Water Quality have been obtained. The mine plan includes a total disturbance of 288 acres.

Any person or agency aggrieved by this tentative decision may file a written protest within thirty (30) days of the date of publication to Dana Dean, P.E., Associate Director of Mining, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801, setting forth factual reasons for the complaint.

DATED THIS 9th day of October, 2008

STATE OF UTAH DIVISION OF OIL, GAS AND MINING

Dana Dean, P.E.

Associate Director, Mining

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Notice of Tentative Decision to Approve the Large Mining Notice of Intention for Point Of The Mountain project, M/035/0026 to be sent via facsimile, electronic mail, or mailed by first class mail, postage prepaid, the _/3 day of October, 2008 to:

FACSIMILE: 237-2776

E-MAIL:

naclegal@nacorp.com

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Daily Herald 1555 North Freedom Blvd. P.O. Box 717 Provo, Utah 84604

CERTIFIED RETURN RECEIPT 7004 2510 0004 1824 9290

Carl Clyde Geneva Rock Products, Inc. 1565 West 400 North P.O. Box 538 Orem, Utah 84059 CERTIFIED RETURN RECEIPT 7004 2510 0004 1824 9306

Planning and Development Salt Lake County Government Center 2001 South State Street Salt Lake City, Utah 84190

CERTIFIED RETURN RECEIPT 7004 2510 0004 1824 9313

Planning and Development Utah County Administration Building 100 East Center Street Provo, Utah 84606

Penny Berry, Secretary

M035-026-pn